10-01-02

1614 #13

Express Mail Label No.: EV 019 435 843 US
Date of Deposit: September 30, 2002

Attorney Docket No. VPI/99-06 CON US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:	Francesco G. Salituro et al.		
ASSIGNEE:	Vertex Pharmaceuticals Incorporated		
SERIAL NUMBER:	10/008,277	EXAMINER:	Not Yet Assigned
FILING DATE:	December 3, 2001	ART UNIT:	1614
FOR:	**INHIBITORS OF c-JUN N-TERMINAL KINASES (JNK)**		

September 30, 2002
Cambridge, Massachusetts

Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed below and on the attached modified Form PTO-1449 (submitted in duplicate) in the above-identified application, copies of which are submitted herewith. The order of presentation of the references should not be construed as an indication of the importance of the references.

This Information Disclosure Statement is being been filed:

☐ within three months of the filing date of the National Application;

☐ within three months of the filing date of the entry of the National Stage, as set forth in 37 C.F.R. §1.491, in an International Application; or

☒ before the mailing date of a first Office Action on the merits in the above-identified case.

Accordingly, no fee or certification is required. 37 C.F.R. §1.97.

A copy of the references are enclosed unless otherwise indicated on the attached Form PTO-1449 (modified). It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and signs the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested. Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0725, Reference No. VPI/99-06 CON US.

Respectfully submitted,

Karoline K. M Shair

Karoline Shair and Reg. No. 44,332
Attorney for Applicants
c/o Vertex Pharmaceuticals Incorporated
130 Waverly Street
Cambridge, Massachusetts 02139
Tel: (617) 444-6536
Fax: (617) 444-6483

Express Mail No. EV 019 435 843 US
Date of Deposit: September 30, 2002

Modified Form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Application Number	10/008,277
Filing Date	December 3, 2001
First Named Inventor	Francesco G. Salituro
Group Art Unit	1614
Examiner Name	Not Yet Assigned
Attorney Docket Number	VPI/99-06 CON US

U.S. PATENT DOCUMENTS

Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
	A1	4,920,126	24-Apr-1990	Uniroyal Chemical Ltd/Uniroyal Chemical Ltee			

FOREIGN PATENT DOCUMENTS

Exam Initials	Cite No.	Foreign Patent Document Office	Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes	No
	B1		WO 99/64400	Vertex Pharmaceuticals Incorporated	16-Dec-1999		
	B2		WO 00/75118	Vertex Pharmaceuticals Incorporated	14-Dec-2000		
	B3		WO 99/58502	Vertex Pharmaceuticals Incorporated	18-Nov-1999		

OTHER NON PATENT LITERATURE DOCUMENTS

Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C1	Tominaga, Y., et al., "Synthesis of Pyrimidine Derivatives Using N-bis(methylthio)methylenecyanamide", retrieved from STN Database accession no. 115:183231, XP002147665, RNs 136411-38-6, 136411-49-9 and markers & *J. Heterocycl. Chem.*, 28(4):1039-1042 (1991).
	C2	Supko, J. G., et al., "Concurrent Determination of Merbarone and its Urinary Metabolites by Reversed-Phase HPLC with Precolumn Phenolic Acetylation", retrieved from STN Database accession no. 115:173977, XP002147666 RM 136527-39-4 and *J. Liq. Chromatogr.*, 14(11):2169-2188 (1991).
	C3	Bell, L, et al., "Chemistry of 5-pyrimidinecarboxaldehydes", retrived from STN Database accession no. 99:22414, XP002147667, RN 85840-29-5 and marker & *J. Heterocycl. Chem.*, 20(1):41-44 (1983).
	C4	Lamon, R.W., et al., "Thermal Rearrangement of 6-ethoxy-4-thiouracils and related compounds O, S-alkyl migration in the pyrimidine series," retrieved from STN Database accession no. 74:3582, XP002147668, RN 30001-43-5 and marker & *Tetrahedron Lett.* (45):3957-3960 (1970).
	C5	Database Cas Registry 'Online!, XP002147669, RN 264884-33-5 and marker.
	C6	Database Cas Registry 'Online!, XP002147670, RN 7357-33-7 and marker.
	C7	Iordanov, M.S., et al., "Ribotoxic stress response: Activation of the stress-activated protein kinase JNK1 by inhibitors of the peptidyl transferase reaction and by sequence-specific RNA damage to the α–sarcin/ricin loop in the 28S rRNA", retrived from STN Database accession no. 127:79177, XP002147671, abstract and *Mol. Cell. Biol.*, 17(6):3373-3381 (1997).
	C8	Allison, A.C., "Immunosuppressive drugs: the first 50 years and a glance forward", retrived frm STN Database accession no. 2000420734 Medline, XP002147672, abstract and *Immunopharmacology*, 47(2-3):63-83 (2000).
	C9	Tominaga, Y., et al., "Synthesis of Pyrimidine Derivatives Using N-bis(methylthio)methylenecyanamide", *J. Heterocycl. Chem*, 28(4):1039-1042 (1991).
	C10	Bell, L., et al., "Chemistry of 5-Pyrimidinecarboxaldehydes", *J. Heterocycl. Chem.*, 20(1):41-44 (1983).
	C11	Lamon, R.W., "The Thermal Rearrangement of 6-Ethoxy-4-Thiouracils and Related Compounds. An O, S-Alkyl Migration in the Pyrimidine Series", *Tetrahedron Letters*, (45):3957-3960 (1970).
	C12	Allison, A.C., "Immunosuppression drugs: the first 50 years and a glance forward", *Immunopharmacology*, 47:63-83 (2000).
	C13	Wang, Z., et al., "Structural basis of inhibitor selectivity in MAP kinases", *Structure*, 6(9):1117-1128 (1998).
	C14	Iordanov, M.S., et al., Ribotoxic Stress Response: Activation of the Stress-Activated Protein Kinase JNK1 by Inhibitors of the Peptidyl Transferase Reaction and by Sequence-Specific RNA Damage to the α-Sarcin/Ricin Loop in the 28S rRNA", *Mol. Cell. Biol.*, 17(6):3373-3381 (1997).

OTHER NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C15	Supko, J.G. and Malspeis, L., "Concurrent Determination of Merbarone and its Urinary Metabolites by Reversed-Phase HPLC with Precolumn Phenolic Acetylation", *J. Liq. Chromatogr.*, 14(11):2169-2188 (1991).

* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, U.S.S.N. _____, filed _____, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to applicant.

TRADOCS:1161763.1(_WF701!.DOC)